

# **EXHIBIT 1**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MASSACHUSETTS**

INSITUFORM TECHNOLOGIES, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 04 10487 GAO
	)	
AMERICAN HOME ASSURANCE	)	
COMPANY,	)	Jury Demanded
	)	
Defendant.	)	

**INSITUFORM'S INITIAL DISCLOSURE**

Plaintiff Insituform Technologies, Inc. ("Insituform"), by its counsel, makes the following disclosure pursuant to Rule 26(a) of the Federal Rules of Civil Procedure.

A. Insituform identifies the following individuals believed to have discoverable information that Insituform may use to support its claims:

<b><u>Witness</u></b>	<b><u>Address/Phone No.</u></b>	<b><u>Information /Subject Matter</u></b>
Juanita M. Britton	175 Water Street, 22 <sup>nd</sup> Floor New York, New York 10038 (212) 458-3725	AIG Claims Representative: American Home Denials
Margaret Hoeler	Unknown	AIG Claims Representative: Insituform Notice of Claim.
Barry Schnurman	Last know address: Three City Place Drive Suite 900 St. Louis, MO 63141 (314) 432-05000	Former Lockton Employee: Notice of Claim
Lawrence Butler	702 Spirit 40 Park Drive Chesterfield, MO 63005 (636) 530-8000	Insituform Risk Manager: Insurance Policies and Notice of Claim

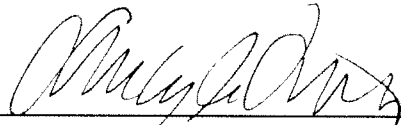
<u>Witness</u>	<u>Address/Phone No.</u>	<u>Information /Subject Matter</u>
Lynn Osborn	702 Spirit 40 Park Drive Chesterfield, MO 63005 (636) 530-8000	Insituform Engineer: MWRA Contract and EBBS Project
Richard Baxter	702 Spirit 40 Park Drive Chesterfield, MO 63005 (636) 530-8000	Insituform Engineer: MWRA Contract and EBBS Project

B. Insituform possesses the following the documents at 702 Spirit 40 Park Drive, Chesterfield, Missouri 63005 that it may use to support its claims: American Home policy BE 3206923 and Liberty Mutual policy RG2641004218033 and related underwriting documentation; the MWRA EBBS Contract and Insituform communications with Liberty Mutual and American Home regarding the Claim.

C. Insituform has suffered monetary damages as a result of: American Home's breach of its duty to indemnify Insituform. While Insituform has sustained covered losses in excess of American Home's attachment point, the amount of the loss is still not known as the repair and replacement is ongoing. As a consequence of American Home's wrongful denial, Insituform has had to book the entire loss against earnings, thereby artificially driving down its fourth quarter earnings for 2003. Those damages, are not yet computed due to incomplete information.

D. Not Applicable.

INSITUFORM TECHNOLOGIES, INC.

By:   
Stanley A. Martin  
Holland & Knight LLP  
10 St. James Avenue  
Boston, MA 02116  
(617) 523-2700

Of counsel

Charles L. Philbrick  
Holland & Knight LLP  
131 S. Dearborn St., 30<sup>th</sup> Fl.  
Chicago, IL 60603-5547  
(312) 263-3600

Dated: May 4, 2004

# 1832367\_v2

**CERTIFICATE OF SERVICE**

I hereby certify that on this day a true copy of  
the above document was served upon the  
attorney of record for each party by mail/hand.

Date: May 4, 2004

